

**THE STANDING COMMITTEE ON INTERNAL ECONOMY, BUDGETS
AND ADMINISTRATION
EVIDENCE**

OTTAWA, Tuesday, August 13, 2013

The Standing Committee on Internal Economy, Budgets and Administration met this day at 9 a.m. in camera to consider financial and administrative matters.

Senator Gerald Comeau (*Chair*) in the chair.

The Chair: We have this morning again, in case any questions do come up, Mr. Stewart and Mr. Timm. My understanding is that the Deloitte reports have been distributed. At this point, have we distributed -- not yet? We should probably accept the agenda by motion. So moved by Senator Cordy.

Senator Segal: Mr. Chair, in context of a question, am I to understand that whatever report this committee approves today, or whenever, is advisory to the Senate of Canada?

The Chair: Generally speaking, committee reports are advisory to the Senate, but to anticipate your next question, can this committee do actions? Yes.

Senator Segal: I am not troubled by that. Whatever is in the report will at some point be reported to the Senate or the Senate will pronounce upon it?

The Chair: Yes. This afternoon, or today, when we do issue our internal economy report and the Deloitte report, they become property of the Senate once we hand them over physically to the Speaker and they are deemed to be presented before the Senate.

Senator Segal: My second point of order was that CBC reported this morning is that the auditors were quoted as saying, which I think is unfair to the auditors, that Senator Wallin's staff indicated to them that she had fiddled her expenses. I did not hear that at all from the auditors at all last night. In fact, when they were asked the question by one of our colleagues about the motivation that may or may not have existed relative to the documents and different calendars made available to them, I think they were very careful to say that they did not make any judgment to motivation at all.

The Chair: That is absolutely correct; absolutely correct. I am going to ask the auditors, once, as I understand it, we have accepted the agenda and we will proceed with our meeting, then.

Senator Segal: Thank you, chair.

The Chair: Maybe the auditors might wish to make an opening comment before we proceed.

Mr. Armitage: You had mentioned that you were open for the media to come in again?

The Chair: With leave of internal, may I go for a photo op? George, do you want to come with me? I thought it was me. I thought they only wanted me. I am not humble.

Watch your papers.

We will get going again. Sorry about that. It is probably good for your company.

Would you have any opening statements?

Gary Timm, Partner, Financial Advisory, Deloitte: First of all, I would just like to address the question that came. Two parts: One is that we also heard the "fiddling" comment, if you will. We also heard about falsifying expense reports. We want to deal with both of those, actually. One in terms of fiddling, as Alan said yesterday, none of the executive assistants ever indicated any of that to us in terms of fiddling with expense reports or anything like that. We spoke to you in our report and yesterday with respect to the Outlook calendars and so on.

As well, in terms of the comment that we heard, at least, of falsifying expense reports, the expense reports that we looked at were all maintained by Finance and we got copies of that from Finance and worked from that, so we have never commented on falsifying expense reports, either. Hopefully, that clarifies both those items.

Senator Doyle: Will that be clarified with the press? Will that be done in a public way, because it is kind of serious allegations.

Senator Furey: Thank you. There was some kind of periphery comment about the discussions with the assistants, so just to clarify the record, when you spoke to the assistants involved, did either of those ever indicate that any improper claims were being filed?

Alan Stewart, Partner, Forensics, Financial Advisory, Deloitte: No, not to my recollection. When we spoke to the assistants, I believe we commented yesterday that they told us that they managed Senator Wallin's activities through her Outlook calendar, and that was the impetus behind us obtaining the Outlook calendar from the Senate.

Senator Furey: Okay. Thank you.

The Chair: Are there any further comments on this? Are there any other comments before we proceed to looking at the twenty-seventh report, or questions as well? Okay. Mr. Timm.

Mr. Timm: If there are no questions, we would like to do one follow-up, if we can, from Senator Tkachuk's question yesterday around how do the Schedule 2 expenses break down, and he asked about private. Alan and I undertook last evening and this morning to actually look at that, so if we can have that, just to brief you on that.

Mr. Stewart: As Gary said, Senator Tkachuk asked a question about how much private business was included on Schedule 2. Schedule 2 is the amount reimbursable, that we have determined is reimbursable. We thought it would be helpful to provide some further analysis of Schedule 2. These numbers are indicative only. The claims can fall into a number of categories. However, the main components are as follows: Schedule 2 totals approximately \$90,000. Of that amount, \$38,000 has been identified as private business and repaid already by Senator Wallin. Another amount, totalling approximately \$22,000, has been identified by us as being personal or private business and would include such events as University of Guelph events, attending the Juno awards, attending the Empire Club at the invitation of Porter Airlines, and other events like that. For a further \$13,000, Senator Wallin was unable to provide us with any supporting evidence for the event that was claimed. The amount of what we have described as partisan fundraising totals approximately \$8,000.

They are the largest components. There are some other smaller components, which includes what has been described as our retroactive application of Appendix A to the travel policy from June of 2012, which totals between \$1,000 and \$2,000.

Senator Tkachuk: On the partisan, were they all fundraising events?

Mr. Stewart: Yes.

Senator Downe: Under the personal private, the \$22,000, you mentioned the University of Guelph, but you also mentioned something else, the Juno awards. Can you explain what that was? This is the music ceremony?

Mr. Stewart: Yes.

Senator Downe: She attended that at the invitation of someone else or in her capacity as a senator?

Mr. Stewart: She attended the Juno awards and made a travel claim for that.

Senator Downe: That was considered personal/private and not Senate business?

The Chair: Continue, Senator Downe?

Senator Downe: No, that is fine.

The Chair: I have questions from Senators Marshall, Doyle and Kinsella. Senator Downe, are you done?

Senator Downe: Yes.

Senator Marshall: How many claims did you look at in total and how many of those were there problems identified?

Mr. Timm: Approximately 255 claims. Also, the one thing is, on the claims, I want to be careful. We had the number in and then we took it out because there are also claims for the living allowances and there were some living allowance amounts that got into the travel claims; in other words, per diems and things like that. It is in or about 255, plus a monthly claim for the 26 months or whatever that she had the accommodations here in Ottawa.

Schedule 2 I think is about 80 claims, give or take. You cannot just add Schedule 3 claims to 2 because there is some overlap, so you cannot just do it that way. That is why we pulled the numbers out, because of the different overlaps.

Senator Marshall: It was about 80?

Mr. Timm: Eighty in Schedule 2, around that, yes.

Senator Marshall: All right.

The Chair: Senator Doyle?

Senator Doyle: It has been answered.

Senator Kinsella: Could you tell me, how many claims you looked at had any relationship to the visits to the University of Guelph? I know there is one on page 3 of 14, the claim number 13651. That is travel on June 8 to 12, 2009. Your finding is that the amount subject to reimbursement to the Receiver General is two thousand seven two eight three five, but how much of that relates to the visit to the University of Guelph?

Mr. Stewart: I am sorry; I could not hear most of that question.

Senator Kinsella: I am looking at page 3 of 14, the travel claim number 13651. The travel date was June 8 to 12, 2009. On that claim, the ultimate paragraph makes reference to attending the University of Guelph convocation ceremony. My question is: How many claims did you examine that relate to activities at the University of Guelph? Is this the only one?

Mr. Stewart: No, there were others. They are outlined in Schedule 2. I can go through and add them up, if you like. The ones that we looked at would be outlined here.

Senator Kinsella: I can go through. Thank you, sir.

Senator White: Thank you very much. I guess my questions are around the University of Guelph as well. I am wondering whether the University of Guelph position that the senator held also included a stipend from the university and whether or not she could claim expenses from the university for travel to the university and whether or not you looked at that.

Mr. Stewart: We did not look at whether she received a stipend or not. We do understand that the University of Guelph paid for her travel from Toronto to Guelph when she went down there for car service.

Senator White: So she could claim for some expenses from them?

Mr. Stewart: For car service, I believe, and some accommodation down there.

Senator Furey: Just to follow up, there were two claims made? Is that what you said?

Mr. Stewart: There is more than one.

Senator Furey: So it was a claim made to the Senate and to the university?

Mr. Stewart: No, I do not mean that.

Senator Furey: We should clarify that because that is the way it sounds.

Mr. Stewart: There was more than one claim made to the Senate for Guelph.

Senator Marshall: I wanted to pick up on something that Senator Furey mentioned. Did you come across any incidents where you could identify that the senator had claimed from the Senate and also from a body outside the Senate?

Mr. Timm: There is one. Again, there was one for sure, but that one, actually, in fairness to the senator on this one, is that she actually brought that forward, and that is one that I would suggest was a clear -- in my mind -- that one only was a clear administrative error in that there was a change in admin assistants. There was an admin assistant we will say in August of that year, left and departed. That claim got made to the third party. A new admin assistant came in and actually --

Senator Furey: Excuse me, Mr. Timm, just so we can follow along, what claim are we talking about? Are you looking at 13656 on page 3 of 14? Is that the one you are talking about?

Mr. Timm: No. It is 2012, actually. On page 13 of 14, Schedule 2. That is claim number 22178. I picked that one out because it was the June payment. Actually, it was a payment that just was made -- I cannot recall which one it is in here. It is actually -- it is the one right below it. It was just repaid in November.

Mr. Stewart: No, that is November 12.

Senator Marshall: What number claim?

Senator Cordy: 22202, is it not?

Mr. Timm: Unfortunately, I cannot -- it is just a recent one that occurred. It was repaid in 2013. Unfortunately, I cannot find it on here at the moment, but it was in 2012, and she had claimed it to a third party -- or the previous admin assistant in August of that year. Subsequently, a new admin assistant came in in September 2012. The admin assistant picked up the documents and put a claim through the Senate. Therefore, you had that overlap of admin assistants where, clearly, in my mind, that was an error, not anything untoward in that case, if you will. The senator when she found it has repaid it. I just cannot find which one it is in here.

Senator Furey: Let me take you to two claims, Mr. Timm, to follow up. On page 2 of 14, there is a claim, 5394. No, I do not think so. I am just following up on that, David, but I think he is going to go back to that. 5394 on 2 of 14. The next page, 3 of 14, the last one, 13656, you will see that both of those claims were made in 2009, and they were repaid in 2013, and the statement was that the senator's office has identified and repaid in related expenses that had been previously claimed by the senator.

What happened there? What transpired in those two? Because they came -- the repayment came years later. I think Senator Wallin is to be commended for paying these back, but what happened? What transpired here?

Mr. Stewart: I am sorry. Your question, Senator Furey, is what transpired at the time, or what transpired now with the payment?

Senator Furey: No, I got an idea what transpired now, but what was the cause of the repayment? Was that travel already paid by a company? What happened here? This is a trip to Calgary, charged to the Senate, years later, reimbursed. There had to be a reason for the reimbursement. Was it because it had already been paid by someone else and that mistake was picked up?

Mr. Stewart: The reason for the reimbursement, as we understand it, is that the senator identified that that trip was for private business and not for Senate business and shouldn't have been claimed.

Senator Furey: Which begs the question: Did someone else pay for this as well? That is my point.

Mr. Stewart: We have not checked with the corporations with whom Senator Wallin was on the board, what was paid for and not.

Senator Furey: Okay.

The Chair: Are we still on Senator Tkachuk's question? Senator Tkachuk, did you say you were not done?

Senator Tkachuk: To go back to the events that we were talking about, which is 22178, I think.

An Hon. Senator: What page?

Senator Tkachuk: I thought that was 13 of 14. I think that was the one. She repaid this amount, right?

Mr. Stewart: Sorry, which claim, Senator Tkachuk?

Senator Tkachuk: 22178.

Mr. Stewart: That has been repaid, yes.

The Chair: Are you satisfied, Senator Tkachuk?

Senator Tkachuk: Yes.

Senator Segal: It was a general question. I noticed in the report when you talk about the sources you used for the purpose of your analysis, you did indicate that you had interviewed former members of Senator Wallin's staff.

Mr. Stewart: Yes.

Senator Segal: I am sure in the work that you do in this area of forensic accounting, disgruntled staff on occasion are a part of the mix in a whole bunch of cases by definition. I am just interested in how you would typify the tenor -- I am not looking for the detail per se -- but the tenor of those interviews, and whether the disgruntlement manifested itself. We know, for the record, that Senator Wallin has taken full responsibility for any mistakes that have been made. She has never in any way said anything about staff mistakes. We have just had reference from your colleague how an overlapping circumstance may have produced an unfortunate mistake. I just wondered whether, in view of the work you have done in this respect, you can offer the committee an assessment of the quality of what you have received and the tone from what may in fact have been disgruntled employees because they were, in fact, let go for having made mistakes.

Mr. Stewart: Certainly. I would be happy to. We interviewed three of Senator Wallin's former assistants. I would describe one as potentially disgruntled. One did write a letter.

Senator Segal: Would that have been the disgruntled person?

Mr. Stewart: Yes, and we applied due weight to her information with the tenor of that interview. Frankly, it was the least helpful of the three interviews. She was the assistant for the least amount of time of the three people that we talked to. The other two former assistants were quite forthcoming in our interview with them and helpful in terms of the overall investigation. I would not describe them as disgruntled at all.

Mr. Timm: To add, I do not believe that two of them necessarily, as you indicated, were let go by mistake. I believe actually one that I recall, for instance, just moved vocations, so it was not a case of that.

Senator Segal: So as far as you know, there was only one who may have been let go for reasons that related to performance.

Mr. Stewart: Correct.

Senator Segal: And that would have been the person you have referred to as disgruntled?

Mr. Stewart: Yes.

Senator Segal: The second question is that you make reference at various points that charges that could have been submitted lawfully and according to the rules by Senator Wallin were not submitted in some circumstances. Do you have a quantum for that, or is that just incidental to the numbers that are being talked about generically in the report?

Mr. Stewart: Perhaps you could guide me to where we say charges that could have been made lawfully.

Senator Segal: They were not significant, but in a couple of the references to analysis you did of various trips, you said there could have been a further per diem or something else that was filed for and was not and we took that into consideration.

Mr. Stewart: I think we referred to the fact that Senator Wallin did not claim private accommodation in Toronto.

Senator Segal: Correct.

Mr. Stewart: Is that what you are speaking of?

Senator Segal: Correct.

Mr. Stewart: We have not quantified that, no.

Senator Segal: But she would have been within her rights to do so under some of the circumstances that applied.

Mr. Stewart: For attending some Senate events, I believe so, yes.

Senator Segal: Senate business, yeah. Thank you very much.

Senator Mercer: I am curious about the question Senator Furey asked with respect to the trip to Calgary and that she reimbursed for. The subsequent question was, did someone else reimburse her for that. Your answer was that you did not ask. I asked the question last night with respect to a comment that Senator Wallin had been quoted as saying in a report about her conversation with Senator Tkachuk, and you indicated you did not ask him. He was right in the room to ask. I am kind of curious. Is this standard? It seems to me that if you are doing a forensic audit and you follow the money, well, you followed that money to the point where it was determined that she needed to repay that. It would seem to me logical that you would ask about someone else, had she been paid by the Senate and by a third party.

Mr. Stewart: We felt we had sufficient information from Senator Wallin and various places to assess the claims that she made. In the circumstances you are talking about, she identified herself that that was private business and had repaid it.

The Chair: Do you have a follow up, Senator Mercer? You look troubled.

Senator Mercer: Yes. Well, I am, but I am apparently not going to get an answer that I want, that I am looking for, so I will pass.

Senator Kinsella: You said in reply to my earlier question that in Schedule 2 there were several University of Guelph related claims. I can only find two. One is on page 3 of 14 for \$2,728, and on page 10 of 14 for \$2,042. Can you indicate to me where the other ones are? I cannot find them.

Mr. Stewart: I believe I said there was more than one, senator, and, if you have been through Schedule 2, that may be the only two that are there.

Senator Kinsella: So let us turn to the claim on page 3 of 14. Colleagues, it is Claim Number 13651. The explanation reason for finding is outlined there. Can you indicate what part of the \$2,728.35 is attributed to going from Toronto? Could you just explain that claim and how much of it relates to visiting the University of Guelph?

Mr. Stewart: Okay. To be clear, Senator Wallin made this claim for \$2,870.55, and the claim covers a number of items from Toronto to Ottawa, to Toronto to Ottawa to Toronto, as it indicates in the travel. When she provided us the information behind the reasons for the travel, she did not indicate that the University of Guelph was the reason for her travel. She indicated that the reason for her travel was the meetings that are outlined with the Royal Bank person and the New York City person. As we went through yesterday, we subsequently determined that she did attend the University of Guelph convocation.

I am just trying to be clear in terms of what was claimed and what we determined. She did not claim that amount in respect of travel to the University of Guelph. She claimed that amount

for travel at the time in 2009. Now, in 2013, she provided us details of these two meetings. We established that she in fact attended the University of Guelph. When we put that to her, she acknowledged she had been mistaken in the timing of these two meetings and indicated that the one with New York City may have happened on the phone.

Senator Kinsella: Would it be reasonable to assume that a percentage of the claim would apply to going to Guelph, or 100 per cent of it?

Mr. Stewart: We have quantified the amount that is reimbursable as everything except around \$150, \$140. We have a detailed quantification of that.

Senator Kinsella: Based on what?

Mr. Stewart: Based on the claim itself. There would be a flight both ways. There would be taxis, car service, et cetera.

Senator Kinsella: Then on page 10 of 14, it is Claim Number 15662, and the amount is \$2,042. Again, could you give a little more explanation on that one?

Mr. Stewart: Again, that is a return. That is perhaps a little more simple claim. I believe she went Ottawa to Toronto to Ottawa. The purpose she told us that time was for the convocation address at Guelph. We have determined that again the majority of the claim is reimbursable, and we would have gone through the same calculation in review of the elements claimed in that expense claim. Just to be clear, in some of the expense claims made, there is some potentially catch-up expense claims that are made from previous trips, so it is possible there was \$150 in this claim that referred to another one that we thought was acceptable and so we have not determined that to be reimbursable. We have detailed calculations behind each of these, but the 2,042 that we have determined is reimbursable, that is related to the Guelph trip.

Senator Kinsella: Your description says the senator flew from Toronto to Ottawa, returning on June 16. The senator's office represented that the senator gave the convocation address as chancellor and honorary alumnus of Guelph university and that the senator spoke on the importance of civic engagement and public service. I am trying to follow it. She flies from Toronto to Ottawa and she gives the convocation address. She has gone in the wrong direction, hasn't she?

Mr. Stewart: I think that might be an error in the schedule. I think it may be Ottawa to Toronto.

Senator Kinsella: I would assume you went from Ottawa to Toronto and then drove out to Guelph. Guelph university is not in the greater National Capital Region, is it? Not yet.

Thank you.

Senator White: For clarity --

The Chair: I am sorry, Senator Downe.

Senator Downe: My question has been asked by Senator Mercer.

Senator White: For clarity -- it has been asked twice now -- 13651, so we are clear, the University of Guelph trip where two meetings were also noted by the senator, the meetings did not take place; the sole rationale for the trip was to go to the University of Guelph, is that correct? So there were no other meetings brought forward by the senator?

Mr. Stewart: The senator brought forward the two meetings that are here.

Senator White: You did not confirm those meetings.

Mr. Stewart: We did not confirm those meetings.

Senator White: And they cannot be confirmed.

Mr. Stewart: The senator has subsequently indicated --

Senator White: That they didn't take place.

Mr. Stewart: I believe she indicated last night that one of those meetings --

Senator White: On the phone.

Mr. Stewart: No, one of those meetings took place the previous evening.

Senator White: So not for this trip at all.

Mr. Stewart: She may have confirmed that, but we have not.

Senator White: Okay. On the second one, 15662 that Senator Kinsella brought forward, which is again the convocation address, you did not confirm whether or not she did or could have made a claim to the University of Guelph as the chancellor or former chancellor emeritus, whether or not she could or did receive payment from the University of Guelph either, correct?

Mr. Stewart: We did not confirm with the University of Guelph. This second Guelph claim came up first in our review, so we reviewed that first with the senator. I believe she told us at that time, because we asked her how she got from Toronto to Guelph -- because that was not claimed from the Senate, I do not think -- that that was payable by Guelph and her accommodation down as well.

Senator White: I am a visitor today; I realize that. Obviously, there needs to be further investigation done here -- not by an auditor, to be honest -- whether or not there was double claiming and double billing.

My recommendation -- and if it is the wrong time, tell me and I will make it later -- is we just refer it to the RCMP for follow-up and investigation. This does not make sense to me that we are questioning people who have not done the next step, which should be done and in such a forensic audit and investigation. The next step is whether or not there was double billing, double claims and criminal actions. I feel at bit like we are beating around the bush here, one by one by one, trying to find one, and I think we have found a whole bunch, to be honest.

The Chair: Two points. First, you are not a visitor. I understand you are now a member of the committee, so welcome to the committee.

Senator White: For this week, right?

The Chair: Well, welcome for this week.

Number two leads us right into the next part of our morning's session, which would be to look at the proposed report of steering, which might respond to that second question that you had.

Just before we do go on to the report, I wanted to relate to senators that I received a note from Senator Wallin that she would not be attending the session this morning, believing that it would be a continuing distraction, but would be in touch if we have any questions for anything. She is available if we need to ask her any questions. I wanted to make those points.

Three, I will thank the auditors now for having come in this morning and responding to the questions. I thank you very much for the work you have done. You are excused. Thank you.

Mr. Stewart: Thank you very much.

The Chair: Lucie or Jimmy is going to distribute the report and Jill Anne will talk us through it. Do you wish to have a few minutes to read it prior to Jill Anne? Members can let me know and once they have read through the report, then Jill Anne can respond to any questions.

(Senators then read the draft **Fifth report of the Steering Committee**).

I sense we have all had a chance to go through the report. The floor is open for Jill Anne.

Senator Tkachuk: I just want to know if this is a first draft of the report.

The Chair: Good question. This is the draft.

Senator Tkachuk: This is the final draft. This is the whitewashed draft. I just wanted to make that point.

Jill Anne Joseph, Director, Strategic Planning, Senate of Canada: I guess, since everybody has read it, we will just open it up to questions.

Senator Marshall: On paragraph 4, which is on page 2, it is talking about 94 trips, and 75 of them involve stopovers, and then we say some of them were appropriate, and then I guess some of them were not appropriate. How many were appropriate and how many were not appropriate?

Ms. Joseph: I do not know if I have that figure. I can guide you to the page in the report, the schedule that provides that information. It is on page 22.

Senator Marshall: On page 22.

Ms. Joseph: There is nothing in the report that provides me with the numbers of what was appropriate and what was not. I would have to cross-reference that with schedules to determine.

Senator Marshall: I would like to know that, and I think that when this is released, the media will probably be asking that question also.

Ms. Joseph: All right. I think the general answer that can be given is that figure-wise 73 per cent of the value of her claims was found to be appropriate.

Senator Marshall: Okay. Can I ask my second question?

The Chair: Absolutely.

Senator Marshall: I am thinking back on the review we did of Senator Brazeau when he was using his father's home as his primary residence. When we go on page 3, the second paragraph on page 3, we are talking about including an address for her primary residence in Wadena, Saskatchewan.

Ms. Joseph: Yes.

Senator Marshall: Do we have any information on that? Is that her parents' home?

Ms. Joseph: It is my understanding, although it is not an issue I have spent a lot of time on, that she is co-owner of that home with other members of her family.

Senator Marshall: Those were all the questions I had.

Senator Fraser: At the top of page 3, the first paragraph, we refer to information obtained from Senator Wallin and her executive assistant. I gather that Deloitte actually interviewed three executive assistants. Did we only find inconsistencies in the case of one, or is that a typo or what?

Ms. Joseph: No, the former executive assistants did not provide any information on her claims. The exercise of obtaining information about her activities was with the current assistant, Renée Montpellier.

Senator Fraser: We really do mean what we actually say.

Ms. Joseph: We mean the current assistant, yes.

Senator Fraser: In the recommendations on page 5, recommendation 4, the first bullet -- this is nitpicking, but I do not think there are any flights to Wadena.

Ms. Joseph: That is important.

Senator Fraser: I would suggest that we --Conference

Ms. Joseph: Saskatchewan and Ottawa, or Saskatoon.

Senator White: Regina or Saskatoon.

Senator Fraser: Whichever it is that you fly to.

Ms. Joseph: That is a good point.

Senator Tkachuk: It is irrelevant. It is about the same distance from each.

Senator Fraser: So then Saskatchewan.

Senator Tkachuk: She goes to Regina and then drives or goes to Saskatoon and drives.

Senator Fraser: I have got my bucket and brush right here.

Senator Segal: Unlike Senator White, I really am a visitor, with no status, but I will make my comments for my colleagues' consideration.

It strikes me that in view of the questions asked by Senator Furey and myself of the auditors this morning and their very clear response with respect to the fiddling of expenses and that sort of thing, that at the top of page 3, at the end of the first paragraph, it would be I think reflective of the discussion we had here, and is now on the record, something to the effect that Deloitte did indicate that there was no evidence of fiddling provided to them from any source or in their report.

I will leave the wording to others, but it just strikes me that as we ask the question, and the question was answered by the auditors very clearly, it would be fair, and I think fairness is important, that we include that in the report. I leave that to the committee for its consideration.

Senator White: I am sorry; I do not know if I understood what was being suggested specifically.

Senator Segal: Senator, what happened was that the CBC had reported that the auditors had said that assistants to Senator Wallin had said to them that there had been fiddling of expenses. That was the quote. It was not the auditors quoted; it was the citation by the CBC. With the chairman's permission, I asked that directly to the auditors: Was there any substance to that? They very clearly denied ever having made that indication. They denied that it ever happened, that in any case any assistant suggested there had been fiddling of the expenses, and they indicated there was no reference to any such fiddling in the main report itself, which they submitted to us yesterday. Senator Furey asked a follow-up question in that respect and got a similar answer.

The case I am making is that when we refer to their findings, it would be decent and fair to include a sentence to that effect. That is the only purpose of the proposition I am putting forward to the committee.

The Chair: I am taking names down --

Senator Segal: I am not finished.

The Chair: Oh, you are not finished?

Senator Segal: I am sorry; I will not be long.

The Chair: Okay.

Senator Segal: I think that the sanction imposed on page 5, that she can no longer travel, except back and forth to her own constituency, her own province, without getting prior approval, I think, if I may say so, is rendering a sentence before the judgment is made, and it strikes me that pre-trial sentencing is actually the sort of thing that goes on in places like Iran, Venezuela and Russia but does not go on here, and I do not think we as a committee should be prone to do that. I understand the concern, but I think four is excessive, and it will in fact impact on her ability to do her job as a senator, and I think we have to ask ourselves whether that is fair.

With respect to section 5, and I am glad we have Senator White with us because as a distinguished police officer in his prior life, had any politician told him what to investigate, where to go, what to do, what his priorities should be, he would have told them to screw off, and he would have been right to do so. Police officers, whether it is the Royal Canadian Mounted Police, the Ottawa police, the OPP, the Royal Newfoundland Constabulary, have the obligation to enforce the law in a fashion they deem appropriate, to gather evidence where they think there may be some wrongdoing and to provide it to a Crown attorney, who then determines whether charges should be laid.

For this committee to make a recommendation as to what the police should be doing is also, if I may say so, pre-trial sentencing on our part and completely inappropriate in the Canadian tradition; number one.

Number two, I think it is important to keep in mind that while I can respect the standing members' of the committee desire to be seen to treat all the alleged miscreants the same way, that also can be called painting everybody with the same brush. In my understanding of how we deal with issues of fairness in this society is that particular circumstances differ by individual, by alleged miscreant, and we make judgments based on those definitive circumstances. There is no suggestion, if may say so, of any fraudulent effort to put money in her own pocket. There may have been incompetence, there may have been sloppiness, there may have been mistakes made, but that is a far way beyond or behind the notion of criminal responsibility or intent. I believe that that paragraph should say that we assume that the findings of the Deloitte will be available to police authorities to do with as they deem appropriate should further investigation be required, but for us to make that recommendation means that we have decided (a) what the police should be doing and what we think may or may not be criminal activity, and I would think that would be both unbecoming for this committee and way beyond statutory responsibility and competence.

The Chair: Thank you very much, Senator Segal. Senator Cordy.

Senator Cordy: Just in response to some of Senator Segal's comments, indeed, you did ask whether or not the auditors had stated that there was fiddling involved, and they did say that they did not say that, but evidence that I read and heard about over the past couple of days was that, in fact, there were discrepancies between -- I forget the terminology they used -- the live calendar and the other calendars they looked at, so --

An Hon. Senator: I think it was inconsistencies.

Senator Cordy: Thank you, inconsistencies, not discrepancies. I do not want to necessarily -- yeah, they have got inconsistencies -- so I do not want to put something in that says, in fact, we need people to think there were no inconsistencies.

Secondly, I agree with Senator White's comments that he made earlier. I think that as the committee, we have a responsibility to ensure that justice is done, and that if we call in what we always refer to as the proper authorities, then perhaps they will find that some of these claims were justified, and they may find that some of them were not only not justified but there are deeper problems with them.

I do not have a legal background. I see problems with the expenses that were done, but I do not have a legal background to say that it is fraud or it is not fraud or it is this or it is not this, and I think bringing in the proper authorities is what we as a committee have a responsibility to do.

Senator Segal: A point of order, if I may. Just a second --

The Chair: Senator Segal, what we might do is we might get you on the second round. I extremely dislike what do you call them -- supplementaries -- so if you do have a point to make, you could make it later on, on the second round.

Senator Cordy: But Senator Mercer said that I have to claim a conflict because I am married to an accountant.

Senator White: First comment, I do not think we should care about what the media is saying and what we say in this report. I think if we start suggesting that the word "fiddling" was or wasn't used, I think we are walking down the path of where the media wants us because next day, they will say something else and we will have to put out another report.

I think our report is clear. I think it does talk about things that cannot be resolved internally, inconsistencies, so I do not think we should get into that dialogue. Personally, if I am interviewed by someone and I want to say I have never heard or seen the word "fiddling" by the auditors, that is my choice. That is a different story.

The second part is for 31 years I was a cop, and I probably had the government refer for investigation to me over a hundred times, seven years on commercial crime. They referred for investigation -- not to have a look, not to see what I found -- to investigate. I can tell you right now, from what I have seen in the last 24 hours, I would conduct an investigation immediately and I have seen falsification of documents, according to the auditors, already. From my

perspective, I already have reasonable and probable grounds to get a search warrant, so I think we should refer in the strongest terms as we possibly can to the appropriate authorities for investigation. That is my opinion.

Senator Marshall: I just wanted to talk also about putting in something about no fiddling of the accounts. The auditors have already said that they did not check with third parties to see if the same claim had been submitted to that third party, and I would think that that is something that the police will do. So I do not think we should get out there and sort of make a statement that there was no fiddling of accounts or we did not think because it may very well transpire that there was, so I do not think we should put ourselves out on a limb like that.

Senator Furey: Thank you, chair. I commend Senator Segal for his small "I" liberal approach, and I share many of his values when it comes to ensuring that people get due process and that people are not seen to be convicted before they have proper process, but the issue with respect to putting restrictions on Senator Wallin's travel, that issue has been put squarely in our laps by Senator Wallin. Remember -- forget the 90,000, forget the Deloitte report -- she has paid back \$38,000 worth of travel expenses which she said were mistakes. If you were to go to any institution as an employee and say, "Look, oops, I made this mistake," it would not be unreasonable for that institution to say either you are fired or, on a go-forward basis, we are going to manage your travel account, and that is what we are doing with Senator Wallin. And we are basing it on the fact that she has already said that she has paid back \$38,000 and said, "Oops, those were mistakes."

You cannot turn a blind eye to that. You had to deal with it, and the best way that we felt as a steering committee to recommend to the full committee to deal with it is to monitor travel on a go-forward basis. I do not think that is unreasonable. I think that is what would be expected of any organization in these circumstances.

Do not look at the whole report. Just look at that part when it comes to monitoring her travel on a go-forward basis. I think the report as well gives you some more reason to do it, but just look at what Senator Wallin has already said to us and deal with that.

With respect to sending the matter to the police or an external third party, in this case the police, it is a very difficult thing to do. It is not easy. You have to give very serious consideration to what it is you are doing. But one thing you have to remember, the Supreme Court of Canada has said over and over again in cases of fraud, breach of trust, that these matters are not decided by a subjective test. It does not matter what the person committing the actions thinks. It is an objective test. It is, "What would a reasonable person in those circumstances do?" That is the test, and we as a committee, we cannot sit as judge and jury over that. We cannot make that decision. That has to be given to an external third party, independent, to review, investigate and hopefully, hopefully, for this institution and for the senator involved, come back with a report that says, "No fraud, all mistakes." But we cannot make that decision. That decision has to be done by an independent, investigative arm. That is what we are attempting to do here. We are not attempting to throw anyone under any buses. We just want to do what is right.

Senator Fraser: I agree with my colleagues. I think we have not only the right but the duty to refer this matter to the appropriate authorities. The auditors made it very plain that there are questions which any reasonable person would raise to which they do not have the answers and which only a full forensic inquiry can indeed provide answers for.

We have a duty to give Senator Wallin every opportunity for due process, and I believe that that has been done. She was consulted all the way through the audit. To her credit, she cooperated with the auditors. She was here yesterday with her counsel. She was allowed to make her case repeatedly. She chose not to be here this morning. That was her choice, and I respect that, but I do not think that we have been railroading her. We have also a duty to the Senate and to the people of Canada to ensure that, first, we actually do administer public money prudently and rigorously and transparently; and, second, to be able to assure the people of Canada that we do that.

We have now determined that there are serious matters at issue here, and I believe that it is our actual duty to refer those matters for inquiry to the proper authorities.

In the matter of Recommendation 4, yes, it is harsh, but, as Senator Furey said, we have grounds for saying there have been serious difficulties here. I think it is reasonable to say not

that she cannot travel anywhere except Wadena, but that if she is going to do so and claim expenses for it, then steering must pre-approve that. At some future date, perhaps that can be withdrawn, but for now, I think these are prudent and reasonable steps, not only that we can take but that we must take.

Senator Segal: I just want to be clear with respect to page 3. I did not in any way suggest that we dilute, diminish, reduce or change the first paragraph on that page. I merely asked that, as the allegation had been made that there had been fiddling of expenses, that we had on the record asked that to the auditors and they made it perfectly clear that they had no evidence of that from any source, nor was that anywhere in any place in their report, that we in fact put that line in. I am not for changing anything that is already there, but I did think that when you do have a reputation -- and I respect Senator White's view that you cannot be driven by the media on these issues. On the other hand, those views are being attributed to our auditors and, if we do not say something contrary, it will be attributed to us. I do not think, if that is not our intent, that we should let that issue remain unaddressed.

The final point I just wanted to make is that I hope that colleagues are constructively aware of the fact that the retroactive standards that were applied in the analysis of what constitutes Senate business can now be applied to not only everyone sitting around this table but to every other member of the upper house. I would expect that if not today, certainly within a short period of time, the first question to our distinguished chairman will be, well, if these retroactive standards, based on new documents that were indicated to be new and fresh and touted by the government as tightening up, are going to be applied retroactively to Senator Wallin, when are you going to begin an investigation into all of the other senators to see if they, too, have violated those standards retroactively? I think that by passing the report in this fashion and not addressing the retroactivity issue even by reference, we are setting the institution up for an ongoing process. If I take Senator Fraser's concern about our duty to the institution and to its integrity, I believe the present process by which we are going to basically rubber stamp the application of retroactive standards for an audit, standards that did not exist during the period of time for which the audit has covered, will be setting the institution up for that very, very serious problem going forward, and it may be in fact the worst thing we could do for the institution's integrity and survival.

The Chair: Since the chair was brought up in your comments --

Senator Segal: Distinguished chair.

The Chair: Distinguished chair, I should state that in fact I was asked that question this very morning by the media scrum just outside the door. I did indicate at that time to the media that we were in fact not changing the rules of the game, that we were still applying the principles that had been established years ago of dealing with travel, and that whatever changes were brought in were in fact clarifications but not changes to the principles. You may wish to debate that, but this is what was done in June 2012. It was a clarification of what was already established in principle and the principles by which we travel to our constituencies. You may disagree with the chair's comments on this, but this is in fact what was -- I think Senator Furey might want to confirm.

Senator Furey: Since the point has been raised, I do not want it to be the last point without some of us, at least, saying that I disagree with Senator Segal's analysis and I concur completely with the analysis that was laid out last night by Senator White. There are really no changes in the rules. There might have been one or two minor things, like you would now have to put in "Senate business", but the actual content of the rules were never changed. What that appendix did was it gave senators an example of how to apply the same rules. So there was really no retroactive application of anything, in my assessment.

The Chair: Jill Anne had a comment on page 3.

Ms. Joseph: Senators, I want to say that I agree that the media reports about fiddling with the expense claims should be corrected. I think they should be corrected for a couple of reasons. It is important to Deloitte, and it is extremely important to the employees who are said to have talked about fiddling with expense claims, when they never did. I was in touch with all of these employees before they were interviewed to let them know that Deloitte was going to be contacting them.

Senator Furey: You are not suggesting, Jill Anne, that we do anything with this report, are you?

Ms. Joseph: I think that this paragraph at the top of page 3 is good the way it is. I think that the media reports should be corrected, and I have some suggested wording here.

The Chair: Are you suggesting that it be done within the report?

Ms. Joseph: Within the report.

The Chair: I do not think we should go there. I am sensing from the mood that we are not going to start responding to media comments on an ongoing basis. We would be doing it until tomorrow.

Senator Segal: Just a point of order.

The Chair: I hear what you are saying. I take no issue whatsoever if George or I were to be asked a question, or if any of you were to be asked the question: Was there in fact fiddling? No. The auditors did in fact say we heard it and we can say that.

Senator Segal: My point of order is about the process we are involved with today. As this report by definition before us had to be written before night's meeting, to be fair we wouldn't have expected our staff and committee to be up all night, but are you saying that there is absolutely no amendment possible?

The Chair: No; I never said that. Please. Please don't go there.

Senator Segal: Fine. So when our senior staff adviser on the matter is trying to make a recommendation about what might be added and you cut her off, am I not to conclude that there's been a decision made --

The Chair: Senator, I looked at the mood in this room and I was virtually almost unanimous, no.

Senator Segal: Before even hearing what she has to say?

The Chair: Exactly. This table is managed by the senators and not senior staff advisers; I should point out as well.

Before I go any further, to clarify the point that you just raised as to making no changes to this report, absolutely I have no intention. If senators want to make changes to the report, they do them and make them and I have no way of stopping this. I am the servant of this internal economy and if they want to make changes, then by all means do them.

On the point of order, I think George did want to make --

Senator Furey: I could not agree with you more, chair. If we start amending a document to respond to comments from the media, well we might as well stay here all day and find out what else it is they are saying. Someone should be on Twitter now to find out what is being tweeted so we can respond to that.

This is not in response to media comments. If the media were to ask you or I, chair, about this erroneous comment made by the media, we would clearly state that no, we did not get any information from Deloitte and you will not see any information from Deloitte in the report that there was any fiddling.

The Chair: That's right, and the report will be made public.

Senator Tkachuk: "Only direct or immediate flights between" -- that is going to be changed to Saskatchewan, right?

The other point I would like to make is on the question of referring the matter. This is for information only, that on all the other three previous senators -- Senator Harb, Senator Brazeau and Senator Duffy -- there were no recommendations that the matter be referred to other authorities, just so we know that. I think in their cases, their matters were more egregious than they are here.

I am backing up a little history here so that we are acting consistently. We had a former Auditor General chairing the committee of Brazeau and Harb, and there were no recommendations to the police and the steering committee, acting as the audit committee, also made no recommendation.

The recommendation for Duffy was made because there was evidence of double billing. They came up after the fact, and once we saw that there was double billing being made, to us that was some evidence of fraud and, therefore, we reconvened and changed the report to reflect the fact that there was double billing and that the matter should be sent to other authorities.

I might point out that we never went back to Brazeau and we never went back to Harb to recommend that that matter be referred to the police because we understood that they can read and that if they thought there was evidence of malfeasance, then they would conduct an investigation. Just so we know that that is what we did previously and this is very different.

The Chair: Okay, thank you.

Senator Johnson: Thank you, chair. I tend to feel sympathy on all sides because this is a very heartbreaking kind of thing we are going through with colleagues. At the same time, on a number of fronts, we are not I do not think equipped, as you have said, to address and work with any more of these issues ourselves in terms of the investigation. I was kind of very surprised at that whole business that they raised and detailed again today with regard to the conflicting information and I just think that is not something we can do anything with further.

I'm glad you cleared up the retroactive standards because that upset me a lot that, being here 23 years, you are suggesting it is basically the same principles.

The Chair: I am not suggesting. I am saying.

Senator Johnson: You are saying, yes. Because I never encountered any difficulties with this, nor do I have any issue with having to fly directly between your home and Ottawa. That is what you are supposed to be doing. That's just the rules for the entire time I have been here.

Will Senator Wallin have to reimburse right way or what is the process there? What does it say there?

The Chair: Senator Wallin, it would be completely up to her. Obviously the preferred method would be that she wrote a cheque

Senator Johnson: What is the time frame? Is it after an investigation or would it be before an investigation?

The Chair: The deputy law clerk can help me here.

Michel Patrice, Deputy Law Clerk and Parliamentary Counsel, Senate of Canada: For a matter of consistency, the steering committee would have to make a determination in terms of the implementation of the decision, if the committee so decides. I would suggest that we follow the precedent set in relation to Senators Harb and Brazeau in terms of letters sent informing and it was a 30-day period, if no payment comes.

Senator Johnson: I see; if no payment comes. Thank you, chair.

Senator Kinsella: Thank you, chair. The phrase "due process" has been raised a number of times, and it seems to me that due process within this legislative committee has been followed, as a legislative committee acting on behalf of the full house.

I am of the view that we have done as much as we can do in committee and that, one, you can see that due process continues. I would be surprised, as we subsequently learned on the Brazeau/Harb case, that the RCMP were investigating this long before we knew anything and it was all made clear in the affidavit by Corporal Horton before the court when they sought the production order.

In the case of Senator Duffy, we made the determination and the RCMP were invited to look further because the committee got to the point that in fairness to all involved, including the honourable senators, by having a proper investigative authority look deeper, which they were doing anyway, really is an opportunity for the senator to have the due process protections. In

this instance, a Crown prosecutor will make a determination as to the quality of the investigation. At that juncture, complete exoneration could very much be the result.

If, on the other hand, the Crown prosecutor makes a judgment, based on the evidence presented by the police, that this should be laid before a court of competent jurisdiction, once again, it is not us. It will be a judge following all the rules of the tribunal, which protects the accused in very serious kinds of ways. Also, I think it is important for us to recall that before that kind of tribunal the standard of proof is not that of an administrative tribunal based on the balance of probability but, on the contrary, it's proof beyond a reasonable doubt, where the whole issue of *mens rea* has to be assessed.

It seems to me that if the competent authority does further investigation, that is affording tremendous opportunity for clarification, for exoneration, et cetera. These are very much positive, but we have no capacity, as a legislative body, to present ourselves as some kind of a tribunal. We are not a court or a tribunal of competent jurisdiction to deal with Charter matters, nor constitutional matters. We are a legislative body. I am very comfortable with the recommendations that are here.

That is what I have to say on that matter.

The Chair: Thank you very much, Senator Kinsella.

Senator Marshall: I wanted to comment on Senator Tkachuk's comment with regard to the Harb and Brazeau report and that it did not recommend that those two senators' expenses be referred to the RCMP.

The issue of referring both the Harb report and the Brazeau report to the RCMP was discussed by the subcommittee. We spent a lot of time -- you yourself, chair, were on that committee. We spent a lot of time discussing whether it should be referred to the RCMP, and also at the full committee meeting. I think we have to go back and remember what was in the Harb and Brazeau report. There was nothing in it. In fact, what Deloitte recommended was that I think each of the senators repay, I do not know, less than \$1,000 each. That report was a very big disappointment and we really had to do our homework on the subcommittee in order to come up with our subcommittee report.

I think we have to remember that, and that the report we have now on Senator Wallin is a different kettle of fish altogether. It is much more significant, what is in the report, so I think that we cannot say, because we did not refer Harb and Brazeau to the RCMP, therefore we cannot refer this one. I think that you have to take each report on its own merit and make a decision based on that report. There was very little in that Harb and Brazeau report. What has come out since -- but that was not covered by Deloitte; that came from the police.

Senator White: My comment was in relation to a different kettle of fish, thank you.

The Chair: No more comments on fish?

Senator Segal: I assume that in the normal course, whenever the report is made public, there will also be a press release. Would the committee be able to see that before that goes out or is that in the hands of some . . .

The Chair: Good question. Blair is here. I might ask Blair if we can view the press release before.

Blair Armitage, Principal Clerk, Senate of Canada: Karen has just finished a first draft. I had a couple of corrections for it. Of course, it will have to be translated, which takes some time. We had talked about the steering committee approving it, but we are certainly in your hands.

The Chair: What we will do is, we wrap up this part of it and then we go on to other business as we wait for the clerks to deal with this report, unless there are other changes.

As far as the press release goes, we could probably read something into the record later on.

Mr. Armitage: The form of it is very straightforward, simply that the committee is presenting its report; it is requiring Senator Wallin to repay \$121,000, of which she has already paid \$38,000, and that the chair has been directed to inform the authorities that the report is now

public, and that senators take the use of taxpayers' funds seriously, and believes it has robust internal controls but has asked the Auditor General to come back and review senators' expenses to ensure that it has the best possible accounts.

The Chair: Is that agreeable? Senator Segal, does it sound good to you?

Senator Segal: Yes.

The Chair: Would you walk us through this?

Senator Cordy: I had a question, a process question. These recommendations that we are making as a committee that have been approved, do they take place immediately? The committee has that jurisdiction, do we not?

The Chair: Yes. My understanding is that we do have jurisdiction to implement the recommendations as outlined here. That is my understanding.

Senator Tkachuk: I had a question. What was the line about the Auditor General? Why is that in there?

Mr. Armitage: It is in connection with the fact that this committee has an ongoing interest in the oversight and controls for senators' expenses and that the Auditor General is currently putting an audit plan together for the consideration of this committee.

Senator Tkachuk: I do not think that should be in there.

Mr. Armitage: We can take that out.

Senator Tkachuk: We have never met to talk about it here. As far as I know, Internal has never discussed this matter whatsoever.

The Chair: I am pleased that senators were listening.

Senator Fraser: I would agree with the sentiments about the Auditor General. I do think, however, that if we put out a press release which does not include even in an abbreviated form the recommendations contained in this report, we will be accused of trying to cover stuff up, which is not the truth, but as a former journalist, that would have been my normal reaction, to say, "Why are they burying the news here?"

The second thing I would like to say is not about the press release, but it is a question that I have just realized that I have, which is in recommendation 3. When we say that the further amounts, subject to interpretation, be reviewed, should we not say by whom? Would that be by the audit committee or who would that be by? Steering? I just think we need to say who will be doing that job.

Senator Furey: It is understood, and we can elaborate on that, and I think Senator Fraser's point, but I think getting into changing this document now would make unnecessarily delays. It is not really critical that it go in and we can explain that in our news reporting.

The Chair: Would Senator Fraser be okay with that?

Senator Fraser: As long as we are right upfront with it. The idea is always that we should make it plain that we are trying to be proactive and helpful and keep the public informed about what we are doing, not try to "fiddle," to use a word, anything or whitewash or cover up or any of those ugly things.

Senator Downe: I am not sure why we need a press release. The media is waiting for the report. We release the report. The press release will regurgitate that we are concerned about taxpayers' dollars. The report speaks for itself. I do not think we need a covering release or letter.

Senator Stewart Olsen: The press release is for the media who are not in Ottawa but who are interested, for instance, *The Guardian* in Charlottetown.

Senator Downe: Would they not get a copy of the report?

Senator Stewart Olsen: They will, but it is more difficult for them.

Senator Downe: You are the expert.

Senator Stewart Olsen: I think they would like to just get the quick bite.

Senator Furey: Could we outline the procedure from here? I think there is a little confusion about how we are going to go forward from here.

The Chair: Are you okay, Blair, with the changes that we have proposed?

Mr. Armitage: Yes.

The Chair: Once we do agree to the report, and that it becomes a report as adopted, then you still have to do --

Ms. Joseph: I have to make some changes.

The Chair: Some changes with respect to Wadena, for example, to Saskatchewan, and so on; a slight modification, I think it was, to change from Wadena to Saskatchewan.

Ms. Joseph: There is a new paragraph 7 that should be included with the full --

The Chair: A paragraph regarding that upon adoption by your committee this report be deposited with the Clerk of the Senate, whereby it shall be deemed presented in the chamber and placed on the Orders of the Day for consideration at the next sitting of the Senate, in accordance with the order adopted by the Senate on June 20, 2013.

Several changes that the staff need to be a part of, that is going to take some time prior to us being able to walk from this room; as I understand it, we walk over to the Clerk's office --

Senator Stewart Olsen: No, to the foyer.

The Chair: To the foyer; hand the documents over to the Clerk, which then makes them deemed to be presented to the Senate, at which point you and I, George, as I understand it, turn around and there may be a microphone close by, at which point we then are allowed to speak. We will be allowed to speak at that point.

Later on this morning, we will be providing senators with some talking points that we will be using and that you might wish to use. Senators Comeau and Furey are going to be the spokespeople on behalf of the committee, if this would be agreeable, and we will do the best we can on your behalf. I would urge that we use caution. Obviously, I am not going to tell you not to speak to the media and so on, but to use caution. In fact, this is an institution that we are trying to help and all senators, so they looked to us to provide the leadership to, for the future, on these very difficult issues. We are trying our best, as I know all of you are, so this is why I urge caution, not to freelance too far, think of the institution. Think of yourselves and think of your colleagues. That is my little lecture for the time being, and I will turn the meeting back over.

Senator Kinsella: The question was raised about the authorities and the procedures. The report, once tabled, can be taken up when the Senate sits, for adoption, which would require a motion that the report be adopted. However, under the rules and under the Parliament of Canada Act, this committee has enormous powers to do in the here and now all that we are planning to do.

There is a question as to the assessment of interest, but on that we have not an oral statement -- we have that, but we also have a written statement from Senator Wallin that she is prepared not only to pay back the monies to be reimbursed but also to pay with interest, and I think it is important that this, on a going-forward basis, as the administration deals with the pay-back, she has volunteered that interest, and we will use the same principles we have used before, but maybe Patrice might just articulate that with greater technical acuity.

Mr. Patrice: I think, Mr. Speaker, you are right on point in terms of the authorities and all of that, the practice and the rules in terms of the authority of the committee.

Interest, in terms of ordering repayment, is not a power that is explicitly or implicitly provided in the SARs for this committee, but it does imply what we have done in precedent cases and having also read the statement of Senator Wallin and seeing that she has expressed an interest to repay with interest, we will do what, as we did, for example, in the previous senators,

like in terms of Senator Duffy, provide the number of repayment, including what interest would represent, and, in fact, if the Senate deals with this report and adopts it, it will just confirm what has been happening.

The Chair: Then I will ask members: Is it agreed that the fifth report of the steering be approved with the change from Wadena to Saskatchewan, and the point that I raised about the report being deemed to be presented to the Clerk, as presented to the Clerk, deemed to be presented to the Senate, be adopted?

Hon. Senators: Agreed.

The Chair: And tabled.

Senator Segal: I know I do not have a vote, but I would like the record to show that I am opposed.

The Chair: Do we have a record? It is in the transcripts, yes.

Senator Segal: Thank you.

The Chair: Otherwise, I see unanimity on the report, so this will be reported to -- Jill Anne is going to do the work. Anything else we need to do to wrap this up, Jill Ann?

Ms. Joseph: No.

Senator Marshall: When does Senator Wallin get a copy of the report?

The Chair: Only when it is presented, and it will be online at that point. When it is made public.

Senator Marshall: Can we say there was unanimous consent for the report in light of the fact that Senator Segal -- we can say there was unanimous consent. Thank you.

...

The Chair: Adjournment of the meeting has been moved. So be it.

(The committee adjourned.)